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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

RICOH COMPANY, LTD.,  
 Plaintiff,

v.

AEROFLEX ET AL.,  
 Defendants.

Case No. CV-03-4669-MJJ

**DECLARATION IN SUPPORT OF  
 MISCELLANEOUS  
 ADMINISTRATIVE REQUEST TO  
 FILE CERTAIN DOCUMENTS  
 AND EXHIBITS UNDER SEAL**

1 I, KENNETH W. BROTHERS, declare as follows:

2 My name is Kenneth W. Brothers, an attorney with the law firm of Dickstein,  
3 Shapiro, Morin & Oshinsky, LLP, counsel for Ricoh Company Limited. I am over the age of 21  
4 and am competent to make this declaration. Based on my personal knowledge and information, I  
5 hereby declare to all the facts in this declaration.

6 1. A Miscellaneous Administrative Request to File Certain Documents and  
7 Exhibits Under Seal ("Request") was filed February 21, 2006 pursuant to Civil Local Rule 7-11.

8 2. The Request sought permission to file under seal RICOH'S NOTICE OF  
9 MOTION AND MOTION FOR SANCTIONS FOR DEFENDANTS' VIOLATION OF JUDGE  
10 JENKINS' CMC ORDER REGARDING IDENTIFICATION OF PRODUCTS AT ISSUE;  
11 MEMORANDUM OF POINTS AND AUTHORITIES, dated February 21, 2006, and the  
12 DECLARATION OF KENNETH W. BROTHERS IN SUPPORT OF RICOH'S MOTION FOR  
13 SANCTIONS FOR DEFENDANTS' VIOLATION OF JUDGE JENKINS' CMC ORDER  
14 REGARDING IDENTIFICATION OF PRODUCTS AT ISSUE, dated February 21, 2006,  
15 including its accompanying 37 exhibits.

16 3. A Stipulated Protective Order ("Order") was entered on June 3, 2003 between  
17 the Parties.

18 4. The following 37 documents are designated confidential as defined in the  
19 Order.

- 20 a. Ex. 1: a July 15, 2005, email by Jaclyn Fink.  
21 b. Ex. 2: the August 12, 2005, Declaration of Robert B. Smith of AMI in  
22 Support of Defendants' Stipulation to Representative Products.  
23 c. Ex. 3: the October 12, 2005, Supplemental Product Declaration of Robert  
24 B. Smith of AMI.  
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- d. Ex. 4: the January 10, 2006, Second Supplemental Product Declaration of Robert B. Smith of AMI.
- e. Ex. 5: the transcript of the February 9-10, 2006, deposition of Robert B. Smith.
- f. Ex. 6: the July 20, 2005, Declaration of Robert B. Smith in Support of Defendants' Stipulation to Design Libraries.
- g. Ex. 7: the November 3, 2005, Supplemental Declaration of Robert B. Smith of AMI.
- h. Ex. 8: the July 20, 2005, Declaration of Robert B. Smith in Support of Defendants' Stipulation to Input Format.
- i. Ex. 9: the January 12, 2006, Supplemental Input Declaration of Robert B. Smith of AMI.
- j. Ex. 10: the August 12, 2005, Declaration of Brandon Coco of Aeroflex in Support of Defendants' Stipulation to Representative Products.
- k. Ex. 11: the July 21, 2005, Declaration of Brandon Coco in Support of Defendants' Stipulation to Design Libraries.
- l. Ex. 12: the October 13, 2005, Supplemental Product Declaration of Brandon Coco of Aeroflex.
- m. Ex. 13: the November 4, 2005, Supplemental Library Declaration of Brandon Coco of Aeroflex.
- n. Ex. 14: the transcript of the January 19, 2006, deposition of Brandon Coco.
- o. Ex. 15: the transcript of the January 19, 2006, deposition of David Kerwin.
- p. Ex. 16: the transcript of the January 20, 2006, deposition of Peter Milliken.

- 1 q. Ex. 17: the August 15, 2005, Declaration of David Chiappini of Matrox  
2 Graphics in Support of Defendants' Stipulation to Representative  
3 Products.
- 4 r. Ex. 18: the August 16, 2005, Declaration of Eric Boisvert for Matrox  
5 Tech in Support of Defendants' Stipulation to Representative Products.
- 6 s. Ex. 19: the August 16, 2005, Declaration of David Chiappini for Matrox  
7 Tech in Support of Defendants' Stipulation to Representative Products.
- 8 t. Ex. 20: the August 16, 2005, Declaration of Eric Boisvert of Matrox  
9 Electronic Systems in Support of Defendants' Stipulation.
- 10 u. Ex. 21: the October 13, 2005, Supplemental Product Declaration of David  
11 Chiappini of Matrox Graphics.
- 12 v. Ex. 22: the October 13, 2005, Supplemental Product Declaration of Eric  
13 Boisvert for Matrox Tech.
- 14 w. Ex. 23: the October 13, 2005, Supplemental Product Declaration of David  
15 Chiappini for Matrox Tech.
- 16 x. Ex. 24: the October 13, 2005, Supplemental Product Declaration of Eric  
17 Boisvert for Matrox Electronic Systems.
- 18 y. Ex. 25: the July 21, 2005, Declaration of David Chiappini in Support of  
19 Defendants' Stipulation to Design Libraries.
- 20 z. Ex. 26: the July 21, 2005, Declaration of David Chiappini in Support of  
21 Defendants' Stipulation to Design Libraries.
- 22 aa. Ex. 27: the July 21, 2005, Declaration of Eric Boisvert in Support of  
23 Defendants' Stipulation to Design Libraries.
- 24 bb. Ex. 28: November 4, 2005, Supplemental Library Declaration of Eric  
25 Boisvert of Matrox Electronic Systems, Ltd.
- 26 cc. Ex. 29: the February 15, 2006, Supplemental Library Declaration of  
27 David Chiappini of Matrox Graphics, Inc.
- 28

1 dd. Ex. 30: the February 15, 2006, Supplemental Library Declaration of  
2 David Chiappini of Matrox Graphics, Inc. for Matrox Tech, Inc.

3 ee. Ex. 31: the July 21, 2005, Declaration of David Chiappini in Support of  
4 Defendants' Stipulation to Input Format.

5 ff. Ex. 32: the July 21, 2005, Declaration of Eric Boisvert in Support of  
6 Defendants' Stipulation to Input Format.

7 gg. Ex. 33: the January 23, 2006 letter from Kenneth Brothers to Denise  
8 Demory.

9 hh. Ex. 34: the January 24, 2006 letter from Denise Demory to Kenneth  
10 Brothers.

11 ii. Ex. 35: the January 26, 2006 letter from Kenneth Brothers to Denise  
12 Demory.

13 jj. Ex. 36: the February 3, 2006 letter from Denise Demory to Kenneth  
14 Brothers.

15 kk. Ex. 37: a chart showing "ASIC Revenue by Product / Quarter" of  
16 Aeroflex Colorado Springs (AF283488-542).

17 I declare under penalty of perjury under the laws of the United States of America that  
18 the foregoing is true and correct. Signed at Washington, D.C. on February 21, 2006.

19  
20 /s/ Kenneth W. Brothers  
21 Kenneth W. Brothers  
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